

# MAINE STATE LEGISLATURE

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November 19, 1931

To State Highway Commission  
Re: Continuous Highway - State Aid

In response to your recent inquiry regarding the power of the State Highway Commission to change the designation of any part of a continuous highway extending through three or more towns, I am pleased to call your attention to sections 26 to 29, inclusive, of R. S. Chapter 28. Section 26 provides:

"Three or more towns through which extends a continuous highway not less than fifteen miles in length may, not later than April 1st in any one year, vote to appropriate for the construction of such highway as a State Aid highway, sums determined according to the provisions of Section 19, or any multiples thereof, up to five times such sums."

Section 27 provides, in effect, that when three or more such towns through which extends such a highway shall have so appropriated, the state highway commission shall provide funds for the construction thereof.

Section 29 provides the form of article in the town warrant. Your inquiry appears to have been with reference to the location of the highway in the town of Albion, which town voted for the construction of a State Aid highway, -

"Extending from the Augusta-Sidney town line northerly over the so called River Road to the Town House. Thence westerly to the middle road, so called, thence southerly to the Augusta town line and through the City of Augusta past the North Augusta Grange Hall and over the Bond Brook Road, so called, to Water Street, thence by the way of Cony Street, Bangor Street and River Side Drive to Vassalboro town line. Thence over the State Highway and State Aid designation by the way of Webber Pond, East Vassalboro and North Vassalboro to the Winslow town line. Thence northerly through the town of Winslow to Route #137. Thence over the State Aid Road in the town of Winslow to the Albion town line. Thence over State Aid #1 in the Town of Albion to Albion Village. Thence over State Aid #5 to the Palermo town line on the direct road to North Palermo."

I assume that the other towns joining in this construction had a similar warrant in their town meeting.

I do not know of any provision of statute which authorizes the State Highway Commission to change such location, nor do I know of any power of the towns to make a change in the location during this municipal year.

Sanford L. Fogg  
Deputy Attorney General